

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JACKSON LEWIS LLP  
*ATTORNEYS FOR DEFENDANTS*  
*LE BERNARDIN, INC., MAGUY LE COZE, AND*  
*ERIC RIPERT*  
666 Third Avenue  
New York, New York 10017  
(212) 545-4000

ATTORNEYS OF RECORD:  
FELICE B. EKELMAN, ESQ.  
NOEL P. TRIPP, ESQ.

LUIS PAZOS AND MIGUEL GONZALES  
on behalf of themselves and other similarly  
situated,

Plaintiffs,

v.

LE BERNARDIN, INC., MAGUY LE COZE,  
and ERIC RIPERT

Defendants.

**VIA ECF**

Civil Action No. 11-CV-8360

**Sullivan, J.**

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the accompanying memorandum of law, the Affidavit of Felice B. Ekelman, Esq. and upon all prior pleadings and proceedings herein, the undersigned, counsel for Defendants Maguy Le Coze and Eric Ripert will move this Court, the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, on a date and time to be determined by the Court, for an order granting Defendant Maguy Le Coze and Eric Ripert's Motion to Dismiss Plaintiff's Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 6.1(b) of the United States District Court for the Southern District of New York, answering papers, if any, shall be served within fourteen (14) days after service of the papers herein.

Dated: New York, New York  
January 20, 2012

Respectfully submitted,

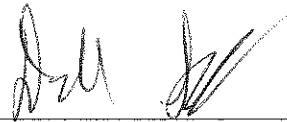
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By:                     /s                      
FELICE B. EKELMAN, ESQ. (5692)  
NOEL P. TRIPP, ESQ. (8931)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20<sup>th</sup> day of January, 2012, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties and participants:

D. MAIMON KIRSCHENBAUM  
DENISE SCHULMAN  
CHARLES JOSEPH  
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Daniel D. Schudroff, Esq.